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**FROMMER LAWRENCE & HAUG LLP**

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**FACSIMILE COVER LETTER**

**To:** Central Fax Center  
**Firm:** U.S. Patent and Trademark Office  
**Facsimile No.:** 571-273-8300  
**From:** William S. Frommer  
**Date:** August 31, 2006  
**Re:** Serial No. 10/700,409  
Attorney Docket 450100-04868  
**No. of Pages:** 4  
(including cover page)

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00394787.DOC

PATENT  
450100-04868

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Jody SHAPIRO  
 Serial No. : 10/700,409  
 For : SYSTEM, METHOD, AND COMPUTER PROGRAM PRODUCT FOR REMOTELY DETERMINING THE CONFIGURATION OF A MULTI-MEDIA CONTENT USER  
 Filed : November 3, 2003  
 Examiner : Robert B. Harrell  
 Art Unit : 2142

745 Fifth Avenue  
 New York, NY 10151  
 Tel: 212-588-0800

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below.  
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

**Claims as Amended**

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Percent extra	(6) Rate	(7) Additional Fee
Total claims	74	Minus	** = 74	*0x	\$50 (25)	-\$0
Independent claims	12	Minus	*** = 12	*0x	\$200 (100)	=\$0
Total additional fee for this amendment						\$0

- \* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
 \*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
 \*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$360(180) has been previously paid ☐ or is paid herewith ☐.
- ☐ This response is being filed within the \_\_\_ month following the expiration of the term originally set therefore. This is a petition to request a \_\_\_ month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A check in the amount of \$ \_\_\_ is attached, which covers the cost of ☐ additional claims ☐ petition for extension of time.
- ☐ Charge \$ \_\_\_ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

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*Barnt Shindle*  
 Type or print name of  
 Person signing certification  
*Barnt Shindle*  
 Signature

AUGUST 31, 2006

Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
 Attorneys for Applicants

By:

*William S. Frommer*  
 William S. Frommer  
 Reg. No. 25,906  
 Tel: 212-588-0800

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PATENT  
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AUG 31 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Jody SHAPIRO  
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Type or print name of  
person signing certification

*Barnet Shindler*

Signature

AUGUST 31, 2006

Date of Signature

**SECOND SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT  
AND RESPONSE TO COMMUNICATION OF AUGUST 25, 2006**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This supplements and replaces the response filed May 31, 2006 in reply to the restriction requirement set out in the Office Action mailed May 11, 2006 in the above-identified application. Moreover, this is responsive to the Communication mailed August 25, 2006.

PATENT  
450100-04868

Applicant's representative elects, with traverse, the claims of Group IV. This traversal of the May 11, 2006 restriction requirement is based on the contention here that the claims of Group V should be examined with the claims of Group IV. Stated otherwise, Applicant requests a revision to the May 11, 2006 restriction requirement to join Group V claims 38-50 and claims 61-73 into Group IV.

It is respectfully submitted that the claims of Group IV and the claims of Group V are directed to the same invention, claimed, however, from different points of view. Claims 29-37 and 52-60 are directed to remotely determining the configuration of a multi-media computer, but from the vantage point of the remote location. Claims 38-50 and 61-73 are directed to remotely determining the configuration of a multi-media computer, but from the vantage point of the multi-media computer. In all other respects, the two groups of claims are quite similar -- compare claim 29 to claim 38, for example. This similarity would impose no burden on the Office to examine all of claims 29-50 and 52-73 together, in one application.

An examination on the merits of claims 29-50 and 52-73 is respectfully solicited.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By: 

William S. Frommer  
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